



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/665,588	09/19/2003	Jun Moo Her	11265-009-999	6830
24341	7590	05/18/2006	EXAMINER	
MORGAN, LEWIS & BOCKIUS, LLP. 2 PALO ALTO SQUARE 3000 EL CAMINO REAL PALO ALTO, CA 94306			STRIMBU, GREGORY J	
			ART UNIT	PAPER NUMBER
			3634	

DATE MAILED: 05/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/665,588

Applicant(s)

HER, JUN MOO

Examiner

Gregory J. Strimbu

Art Unit

3634

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 112

Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Recitations such as "ECU" on line 25 of claim 1 render the claim indefinite because it is unclear what is meant by the acronym "ECU". Recitations such as "a chassis member" on line 9 of claim 1 renders the claim indefinite because it is unclear how an opening and closing mechanism for a sliding door can comprise a vehicle body. Recitations such as "the link" on line 10 of claim 1 renders the claim indefinite because it is unclear if the applicant is referring to the link set forth on line 5 or the link set forth on line 8.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Choi '557 in view of Murray et al. and Raymond et al. Choi '557 discloses an opening and closing system for a power sliding door comprising: a locking controller 300 alternately transferring driving force of a handle 120 to a door-closed state keeping unit 400 and a door open state keeping unit 500 in order control operation of the door closed state

Art Unit: 3634

keeping unit or door-open state keeping unit, said controller having a link 350 for locking or releasing the door open state keeping unit, wherein the link is rotatably fixed to a housing 310 about a hinge shaft M and connected to the door open state keeping unit 500 through a cable 631, and wherein the door open state keeping unit includes a coupling link 511 rotatably coupled with a protrusion (not numbered, but shown in figure 4A) of a chassis member, and a locking link 521 rotatably connected to the link through the cable in order to lock or release a coupling state between the coupling link and the protrusion. Choi '557 is silent concerning a driving means and an ECU control.

However, Murray et al. discloses an operating system of a power sliding door comprising an actuator 36 having a driving end 52 formed with an elongated hole 56 into which a free end of a link 64 is movably inserted and an ECU control 20. Since the tab 64 moves relative to the aperture 56 (compare figures 3-5), the aperture comprises an elongated hole.

It would have been obvious to one of ordinary skill in the art to provide Choi '557 with a driving means and a control, as taught by Murray et al., to increase the ease with which the door open state keeping unit can be moved.

Additionally, Raymond et al. discloses the use of micro switches 4 and 5 to determine the position of a latch 7.

It would have been obvious to one of ordinary skill in the art to provide Choi '557 with switches, as taught by Raymond et al., to electronically relay the position of the locking link to the ECU.

Response to Arguments

Applicant's arguments filed February 21, 2006 have been fully considered but they are not persuasive.

With respect to the applicant's comments concerning the combination of Choi '557, Murray et al. and Raymond et al., the examiner respectfully disagrees. Choi et al. '557 discloses the applicant's claimed invention, but for an actuator, an ECU, and limit switches. Even though Murray et al. discloses an actuator for controlling a latch which holds a sliding door closed, it discloses the basic principle of providing an actuator for a latch mechanism of a sliding door. Because Choi '557 discloses two latching mechanisms 400 and 500, one of ordinary skill in the art would be motivated to provide both the latch assemblies with actuators. Likewise Raymond et al. discloses the basic principle of using limit switches for determining the position of a latch. Accordingly, one of ordinary skill in the art would be motivated to provide both latching mechanisms 400 and 500 of Choi '557 with limit switches. The mere fact that both Murray et al. and Raymond et al. disclose latch mechanisms for holding a sliding door in a closed position would not deter one of ordinary skill in the art from providing both the latch mechanisms of Choi '557 with actuators and limit switches.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Art Unit: 3634

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

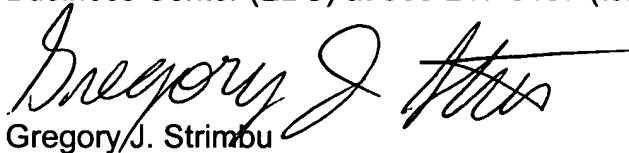
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Strimbu whose telephone number is 571-272-6836. The examiner can normally be reached on Monday through Friday 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on 571-272-6777. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3634

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Gregory J. Strimbu", with a stylized flourish extending from the end.

Gregory J. Strimbu
Primary Examiner
Art Unit 3634
May 12, 2006